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M.D.; RUSSELL J. SHAH, MD, LTD.; DIPTI  
R. SHAH, MD, LTD.; and RADAR  
MEDICAL GROUP, LLP dba UNIVERSITY  
URGENT CARE

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ALLSTATE INSURANCE COMPANY,  
ALLSTATE PROPERTY & CASUALTY  
INSURANCE COMPANY, ALLSTATE  
INDEMNITY COMPANY, and ALLSTATE  
FIRE & CASUALTY INSURANCE  
COMPANY,

Plaintiffs,

vs.

RUSSELL J. SHAH, M.D.; DIPTI R. SHAH,  
M.D.; RUSSELL J. SHAH, MD, LTD.; DIPTI  
R. SHAH, MD, LTD.; and RADAR MEDICAL  
GROUP, LLP dba UNIVERSITY URGENT  
CARE, Does 1-100, and ROES 101-200,

Defendants.

AND RELATED CLAIMS.

Case No. 2:15-cv-01786-APG-DJA

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE JOINT  
PRETRIAL ORDER**

**(Third Request)**

1 Defendants and Counterclaimant Russell J. Shah, M.D., Dipti R. Shah M.D., Russell J. Shah,  
2 MD, Ltd., Dipti R. Shah, MD, Ltd., and Radar Medical Group, LLP d/b/a University Urgent Care  
3 (collectively, the “Radar Parties”) and Plaintiffs/Counterdefendants Allstate Insurance Company,  
4 Allstate Property & Casualty Insurance Company, Allstate Indemnity Company, and Allstate Fire &  
5 Casualty Insurance Company (collectively, the “Allstate Parties”), by and through their respective  
6 attorneys of record, stipulate and agree as follows:

7 1. On January 31, 2024, the parties submitted a Stipulation [ECF No. 596] extending the  
8 deadline to prepare and file the joint pretrial order until June 14, 2024, pending the outcome of a  
9 private mediation, which the parties agreed to conduct following discussions between them after the  
10 Court’s summary judgment rulings. On February 1, 2024, the Court entered an Order [ECF No.  
11 597] approving the parties’ Stipulation.

12 2. On April 12, 2024, the parties submitted a Joint Status Report [ECF No. 598]  
13 indicating that they had scheduled an all-day private, in-person mediation with the Honorable  
14 Margaret A. Nagle (Ret.) through JAMS for May 29, 2024, with separate, two-hour pre-mediation  
15 teleconferences to occur for the Allstate Parties and the Radar Parties on May 10, 2024. The parties  
16 then each prepared and submitted a confidential mediation statement.

17 3. On May 10, 2024, the Allstate Parties and the Radar Parties each separately had a  
18 brief call with Retired Magistrate Judge Nagle. Following those calls, the parties decided to use a  
19 different mediator for the mediation. The parties have since agreed to use the Honorable Frank  
20 Maas (Ret.) through JAMS and are scheduling the mediation with him for September 30, 2024. As  
21 before, the parties will have separate pre-mediation teleconferences with Retired Magistrate Judge  
22 Maas before the actual all-day, in-person mediation.

23 4. Based on the number of contested facts and legal issues to be resolved at trial for the  
24 Allstate Parties’ claims, the Radar Parties’ affirmative defenses to those claims, and the Radar  
25 Parties’ counterclaims; the volume of exhibits to be reviewed for pretrial disclosure purposes; the  
26 number of depositions taken in discovery, including numerous Fed. R. Civ. P. 30(b)(6) depositions  
27 of the Allstate Parties, and corresponding need to identify the pages and lines of each transcript to be  
28 offered, or which may be offered, at trial; and so that counsel for the parties have an adequate

1 opportunity to confer in good faith in an attempt to narrow the issues to be decided by the Court  
 2 through motions *in limine*, the parties seek additional time to complete the joint pretrial order. Due  
 3 to the substantial amount of time and effort that will be expended by the parties in pre-trial work,  
 4 including preparing the joint pretrial order and drafting motions *in limine*, the parties seek to extend  
 5 the deadline for filing the joint pretrial order until 30 days after the mediation.

6 5. Based on the foregoing, and assuming that the mediation occurs by September 30,  
 7 2024, the parties seek to extend the deadline for filing the joint pretrial order until October 30, 2024.

8 6. The parties will notify the Court regarding the outcome of mediation.

9 7. This is the third request to extend the deadline for filing the joint pretrial order.

10 8. This stipulation is submitted in good faith and not to delay the proceedings.

11 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

12 DATED this 14<sup>th</sup> day of June, 2024.

DATED this 14<sup>th</sup> day of June, 2024.

13 McCORMICK, BARSTOW, SHEPPARD,  
 14 WAYTE & CARRUTH LLP

BAILEY ♦ KENNEDY

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23  
 24 **IT IS SO ORDERED.**

25   
 26 \_\_\_\_\_  
 DANIEL J. ALBREGTS  
 UNITED STATES MAGISTRATE JUDGE

27 DATED: 6/18/2024